



Entered on Docket
September 09, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Amended Order Sustaining Ninth
Omnibus Objection Of USACM Trust To
Proofs Of Claim Based In Whole or In
Part Upon Investment In The Placer I
Loan; Except James H. Lidster Family
Trust Claim, and Notice of Continued
hearing re James H. Lidster Family Trust
Claim Only (Amended only to Correct the
DE Number of Objection)**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Ninth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Placer I Loan." ("Placer I Loan") [DE 8448] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; an informal

1 response having been received from the James H. Lidster Family Trust re proof of claim
2 No. 10725-02256; no other responses to the Objection having been filed; the Court noting
3 on the record that the disallowance of the Claims listed on Exhibit A does not affect the
4 direct lenders' right to repayment by the borrower or from the collateral securing the
5 Placer I Loan; and good cause appearing:

6 **IT IS ORDERED** that:

- 7 1. The Objection [DE 8448] is sustained; and
8 2. The claims listed on **Exhibit A** attached, except claim No. 10725-02256
9 filed on behalf of the James H. Lidster Family Trust, are disallowed to the extent those
10 claims are based upon an investment in the Placer I Loan.
11 3. Claim No. 10725-0256 filed by the James H. Lidster Family Trust is
12 continued for hearing on August 30, 2011 at 10:30 a.m. and notice is hereby given.

13
14 PREPARED AND RESPECTFULLY SUBMITTED BY:

15 **LEWIS AND ROCA LLP**

16
17 By /s/ John Hinderaker (AZ #018024)
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24 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- _____ This Court has waived the requirement set forth in LR 9021(b)(1).
- _____ No party appeared at the hearing or filed an objection to the motion.
- XXX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: <u>James H. Lidster Family Trust</u>	
<input checked="" type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

s/ Phyllis Lidster
Trustee, James H. Lidster Family Trust

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker.(AZ #018024)
Attorneys for USACM Liquidating Trust

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Placer Vineyards I Multiple Loans

Claim	Date Claim Was Filed	Name	Address	Total Claim Amount	Amount of Claim That Relates to an Investment In the Placer Vineyards I
10725-00588	10/13/2006	Humphry 1999 Trust	C/O Jack & Alice Humphry Ttees 2000 Laguna St Pahrump, NV 89048-5761	186,631.00	75,000.00
10725-02452	5/31/2007	Humphry 1999 Trust	C/O Jack & Alice Humphry Trustees 2000 Laguna St Pahrump, NV 89048-5761	186,631.00	75,000.00
10725-02256	4/12/2007	James H Lidster Family Trust Datd 1/20/92	James H & Phyllus M Lidster Ttees 2958 San Mateo Drive Minden, NV 89423-7812	1,204,192.58	Unknown
10725-01212	11/10/2006	Jay E Henman Retirement Plan	C/O Jay E Henman Trustee 1023 Ridgeview Ct Carson City, NV 89705-8054	747,243.00	100,000.00
10725-00893	10/31/2006	Joyce E Smith Trust Dated 11/3/99	C/O Joyce E Smith Trustee 3080 Red Springs Dr Las Vegas, NV 89135-1548	853,678.82	53,645.83
10725-01715	12/11/2006	Kehl Development Corporation	Janet L Chub, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	1,561,365.75	500,000.00
10725-01661	12/9/2006	Kehl, Christina M	Janet L Chub, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	1,023,023.12	200,000.00
10725-01657	12/9/2006	Kehl, Kevin	Janet L Chub, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	961,017.34	150,000.00
10725-01660	12/9/2006	Kehl, Robert J & Ruth Ann	Janet L Chub, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,841,680.13	2,000,000.00
10725-02288	1/12/2007	Kerner Revocable Trust Dtd 3/16/81	Melvin W Kerner Ttee 2012 Mesquite Ct. Carlsbad, CA 92009	101,493.04	50,000.00

EXHIBIT A